

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in compliance with D.N.J. LBR 9004-2(c)

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(Formed in the Commonwealth of Pennsylvania)

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Debtors in Possession

In re:

REVEL AC, INC., et al.,

Debtors.¹

Chapter 11

Case No. 14-22654 (MBK)

(Jointly Administered)

AMENDED² NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING ON JUNE 4, 2015 AT 2:00 P.M.,³

¹ The Debtors in these chapter 11 cases, along with the last four digits of each debtor's federal tax identification number, are: Revel AC, Inc. (3856), Revel AC, LLC (4456), Revel Atlantic City, LLC (9513), Revel Entertainment Group, LLC (2321), NB Acquisition, LLC (9387) and SI LLC (3856). The Debtors' mailing address is PO Box 1750, Atlantic City, NJ 08401.

² Amended agenda items appear in **bold** typeface.

³ Parties wishing to participate by telephone can make the necessary arrangements through CourtCall by calling (866) 582-6878 no later than 1:00 p.m. on June 3, 2015. Please note that parties **are not** required to contact Chambers for permission to appear by telephone, all parties wishing to appear by telephone may call CourtCall directly without first contacting Chambers.

CONTINUED MATTERS

1. Creditor's Motion to Allow Filing of a Late Proof of Claim filed by Consumer Fraud Class Action Litigants on August 26, 2014 [Docket No. 541]

Response Deadline: September 8, 2014 at 4:00 p.m. (Extended to December 1, 2014 at 4:00 p.m. for the Debtors)

Responses Received:

- (a) Debtors' Limited Objection and Reservation of Rights with Respect to Creditors' Motion to Allow Filing of a Late Proof of Claim filed on September 30, 2014 [Docket No. 693]
- (b) Debtors' Supplemental Objection to Motion of Class Action Claimants for an Order Allowing Filing of a Late Filed Claim filed on December 1, 2014 [Docket No. 973]

Related Documents:

- (c) Creditor's Motion to Allow Filing of a Late Proof of Claim filed by Consumer Fraud Litigants on August 25, 2014 [Docket No. 533]

Status: This matter is continued to June 23, 2015 at 1:30 p.m.

MATTERS GOING FORWARD

2. Debtors' Motion for Order Determining the Fair Market Value of Postpetition Services Under the Energy Sales Agreement, filed on October 15, 2014 [Docket No. 757] and to resolve any factual issues remaining with respect to the Emergency Motion of ACR Energy Partners for Order Determining Adequate Assurance of Payment of Post-Petition Utility Services Pursuant to Section 366 of the Bankruptcy Code [Docket No. 111].

Response Deadline: October 24, 2014 at 4:00 p.m.

Responses Received:

- (a) Objection of the Bank of New York Mellon as Trustee to Debtors' Motion for an Order Determining the Fair Market Value of Postpetition Services Under the Energy Sales Agreement, filed on October 24, 2014 [Docket No. 815]

- (b) Objection of ACR Energy Partners, LLC to Debtors' Motion for an Order Determining the Fair Market Value of Postpetition Services Under the Energy Sales Agreement, filed on October 24, 2014 [Docket No. 817]
- (c) Debtors' Omnibus Reply to Objections to the Debtors' Motion for Order Determining the Fair Market Value of Postpetition Services under the Energy Sales Agreement, filed on November 3, 2014 [Docket No. 840]

Related Documents:

- (a) Emergency Motion of ACR Energy Partners for Order Determining Adequate Assurance of Payment of Post-Petition Utility Services Pursuant to Section 366 of the Bankruptcy Code, filed on July 2, 2014 [Docket No. 111].
- (b) Joinder of Bank of New York Mellon to Emergency Motion of ACR Energy Partners LLC for Order Determining Adequate Assurance of Payment of Post-Petition Utility Services Pursuant to Section 366 of the Bankruptcy Code, filed on July 9, 2014 [Docket No. 174].
- (c) Interim Order Regarding Adequate Assurance of Payment of Utility Services Pursuant to Section 366 of the Bankruptcy Code, entered on July 10, 2014 [Docket No. 205].
- (d) Supplement of ACR Energy Partners, LLC's Motion for an Order Determining Adequate Assurance of Payment for Future Utility Services, filed on September 19, 2014 [Docket No. 644]
- (e) Notice of Hearing on ACR Energy Partners, LLC's Motion for an Order Determining Adequate Assurance of Payment for Future Utility Services, filed on September 19, 2014 [Docket No. 645]
- (f) Debtors' Objection to Emergency Motion of ACR Energy Partners LLC for Order Determining Adequate Assurance of Payment of Post-Petition Utility Services Pursuant to Section 366 of the Bankruptcy Code, filed on October 6, 2014 [Docket No. 723].
- (g) Reply of ACR Energy Partners, LLC in Support of Emergency Motion for Order Determining Adequate Assurance of Payment of Post-Petition Utility Services Pursuant to Section 366 of the Bankruptcy Code, filed on October 13, 2014 [Docket No. 748].

- (h) Agreed Scheduling Order for Hearing on Debtors' Motion for an Order Determining the Fair Market Value of Postpetition Services Under the Energy Sales Agreement entered on October 16, 2014 [Docket No. 760]
- (i) Letter from ACR Energy Partners, LLC to the Honorable Gloria M. Burns informing the Court of the progress with regard to the CUP Motion, filed on November 4, 2014 [Docket No. 841]
- (j) Letter from Wells Fargo Bank, N.A. and Wells Fargo Principal Lending, LLC to the Honorable Gloria M. Burns in response to ACR Energy Partners, LLC November 4, 2014 letter, filed on November 6, 2014 [Docket No. 845]
- (k) Notice of Hearing on Debtors' Motion for an Order Determining the Fair Market Value of Postpetition Services Under the Energy Sales Agreement, filed on November 26, 2014 [Docket No. 961]
- (l) Joint Exhibit List for December 4, 2014 Hearing on Debtors' Motion for an Order Determining the Fair Market Value of Postpetition Services Under the Energy Sales Agreement, filed on December 1, 2014 [Docket No. 974]
- (m) Notice of Hearing on Debtors' Motion for Order Determining the Fair Market Value of Postpetition Services Under the Energy Sales Agreement, filed on April 13, 2015 [Docket No. 1580]

Status: This matter is continued to June 9, 2015 at 1:30 p.m.

3. Motion of ACR Energy Partners, LLC for Adequate Assurance of Payment or, In the Alternative, Standing to Asset Surcharge Claims Against the DIP Lender and DIP Lender's Collateral, filed February 23, 2015 [Docket No. 1374]

Response Deadline: March 2, 2015 at 4:00 p.m.

Responses Received:

- (a) Wells Fargo Bank, N.A. and Wells Fargo Principal Lending, LLC's Objection to Motion of ACR Energy Partners, LLC for Adequate Assurance of Payment Or, In the Alternative, Standing to Assert Surcharge Claims Against the DIP Lender's Collateral, filed on March 2, 2015 [Docket No. 1415]

- (b) Debtors' Objection to Motion of ACR Energy Partners, LLC for Adequate Assurance of Payment Or, In the Alternative, Standing to Assert Surcharge Claims Against the DIP Lender and DIP Lender's Collateral, filed on March 2, 2015 [Docket No. 1418]
- (c) JPMorgan Chase Bank's (I) Joinder to the Objections of the Debtors and Wells Fargo to the Motion of ACR Energy Partners, LLC for Adequate Assurance of Payment Or, In the Alternative, Standing to Assert Surcharge Claims Against the DIP Lender and DIP Lender's Collateral and (II) Reservation of Rights With Respect Thereto, filed on March 2, 2015 [Docket No. 1421]

Related Documents:

- (a) Application for Order Shortening Time Period for Notice of Hearing regarding the Motion of ACR Energy Partners, LLC for Adequate Assurance of Payment or, In the Alternative, Standing to Asset Surcharge Claims Against the DIP Lender and DIP Lender's Collateral, filed February 23, 2015 [Docket No. 1375]
- (b) Order to Shorten Time Period for Notice of Hearing and Setting Hearing regarding ACR Energy Partners, LLC's Motion for Adequate Assurance of Payment or, In the Alternative, Standing to Asset Surcharge Claims Against the DIP Lender and DIP Lender's Collateral, entered February 24, 2015 [Docket No. 1385]

Status: This matter is continued to June 9, 2015 at 1:30 p.m.

- 4. Motion of ACR Energy Partners, LLC to Strike the Expert Report and Bar the Testimony of Phillip Hanser in Support of the Debtors' Motion for an Order Determining the Fair Market Value of Postpetition Services Under the Energy Sales Agreement, filed April 24, 2015 [Docket No. 1632]

Response Deadline: May 19, 2015 at 4:00 p.m.

Responses Received:

- (a) Debtors' Response in Opposition to the Motion of ACR Energy Partners, LLC to Strike the Expert Report and Bar the Testimony of Phillip Hanser in Support of the Debtors' Motion for an Order Determining the Fair Market Value of Postpetition Services Under the Energy Sales Agreement, filed May 6, 2015 [Docket No. 1698]

Related Documents:

- (a) ACR Energy's Motion to Shorten Notice and Expedite the Hearing with Respect to Motion of ACR Energy Partners, LLC to Strike the Expert Report and Bar the Testimony of Phillip Hanser in Support of the Debtors' Motion for an Order Determining the Fair Market Value of Postpetition Services Under the Energy Sales Agreement, filed April 30, 2015 [Docket No. 1658]
- (b) Proposed Order Approving Motion of ACR Energy Partners, LLC to Strike the Expert Report and Bar the Testimony of Phillip Hanser in Support of the Debtors' Motion for an Order Determining the Fair Market Value of Postpetition Services Under the Energy Sales Agreement, filed April 24, 2015 [Docket No. 1632]

Status: This matter is continued to June 9, 2015 at 1:30 p.m.

- 5. Debtors' Omnibus Objection to Certain Administrative Expense Requests, filed April 24, 2015 [Docket No. 1634]

Response Deadline: May 19, 2015 at 4:00 p.m.

Responses Received:

- (a) Response of Jeffrey Venezia (Claim No. 459) to Debtors' Omnibus Objection to Certain Administrative Expense Requests, filed May 19, 2015 [Docket No. 1742]
- (b) Response to Debtors' Omnibus Objection to Certain Administrative Expense Procedures filed by American Cut AC Marc Forgione, LC, Azure AC Allegretti, LLC and Lugo AC, LLC, filed May 19, 2015 [Docket No. 1750]
- (c) Response of IDEA Boardwalk, LLC to Debtors' Omnibus Objection to Certain Administrative Expense Requests, filed May 19, 2015 [Docket No. 1751]
- (d) Preliminary Response of ACR Energy Partners, LLC to the Debtors' Omnibus Objection to Certain Administrative Expense Requests, filed May 19, 2015 [Docket No. 1752]
- (e) The State of New Jersey, Division of Taxation's Response to Debtors' Objection to Claim, filed May 26, 2015 [Docket No. 1772]

Related Documents:

- (a) Declaration of Shaun Martin in Support of Debtors' Omnibus Objection to Certain Administrative Expense Requests, filed April 24, 2015 [Docket No. 1635]
- (b) Proposed Order Granting Debtors' Omnibus Objection to Certain Administrative Expense Requests, filed April 24, 2015 [Docket No. 1634]
- (c) Debtors' Supplemental Objection to the State of New Jersey's Asserted Administrative Expense Request, filed May 29, 2015 [Docket No. 1791]

Status: This matter will go forward, except with respect to **(i) the Debtors' objection to the administrative expense claims filed by the Amenity Tenants and IDEA Boardwalk, LLC**, which objections shall be heard on June 24, 2015 at 10:00 a.m., and **(ii) the Debtors' objection to the administrative expense claims filed by ACR Energy Partners, LLC, South Jersey Gas Company and South Jersey Energy Company**, which objections shall be heard on June 9, 2015 at 1:30 p.m. In addition, with respect to the Debtors' objection to the claims of the State of New Jersey, Division of Taxation (the "State"), the Court will entertain oral argument only (there will be no witness testimony heard), and decision makers for both the Debtors and the State must be present in the Courtroom.

6. ACR Energy Partners, LLC's Motion for Temporary Allowance of Claims for Voting Purposes Pursuant to Bankruptcy Rule 3018, filed May 20, 2015 [Docket No. 1757]

Response Deadline:

Responses Received:

Related Documents:

Status: This matter is continued to June 9, 2015 at 1:30 p.m.

ADVERSARY PROCEEDING

7. Debtors' Motion to Dismiss Verified Complaint of IDEA Boardwalk, LLC and Memorandum of Law in Support Thereof, filed October 13, 2014 [Docket No. 8]

Response Deadline: October 13, 2014 at 4:00 p.m.

Responses Received: None to date

Related Documents:

- (a) First Amended Verified Complaint Seeking: (1) Injunctive Relief; (2) Declaratory Relief; and (3) Confirming Setoff Pursuant to 11 U.S.C. § 553 of the Bankruptcy Code filed on September 26, 2014 [Adv. Pro. Docket No. 6]
- (b) Joint Order Scheduling Pretrial Proceedings and Trial entered on October 24, 2014 [Adv. Pro. Docket No. 11]
- (c) Request of IDEA Boardwalk, LLC for Status Conference on Adversary Proceeding and Submission of Proposed Joint Mediation Order, filed April 13, 2015 [Docket No. 15]
- (d) Supplement to Cross-Motion of IDEA Boardwalk, LLC for Clarification of Section 365(h) Rights, filed April 28, 2015 [Docket No. 1650]
- (e) Motion to Substitute Defendant and Amend Caption, filed May 27, 2015 [Docket No. 21]
- (f) Affidavit of Frank E. DiCola in Support of Cross-Motion of IDEA Boardwalk, LLC for Clarification of Section 365(h) Rights, filed May 28, 2015 [Docket No. 22]
- (g) Affidavit of Michael A. Barry in Support of Cross-Motion of IDEA Boardwalk, LLC for Clarification of Section 365(h) Rights, filed May 28, 2015 [Docket No. 23]
- (h) Joinder of Polo North Country Club, Inc. to Motion of Revel Entertainment for Substitution of Parties and Attorneys, filed May 30, 2015 [Docket No. 24]

Status: This matter will go forward as a status conference, and for a determination on item (e) which is the Motion to Substitute Defendant and Amend Caption.

Dated: June 3, 2015

FOX ROTHSCHILD LLP

By: /s/ John H. Strock
Michael J. Viscount, Jr., Esq.
John H. Strock, Esq.

– and –

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